

Billy Earls
(Name)

MAY 02 2017

16198-032
(Institution Register No.)JULIA C. DUDLEY, CLERK
BY: [Signature]
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(Current Mailing Address) 24263

7:17-cv-00191

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ~~Roanoke~~ VirginiaBilly Earls, Plaintiff
(Full and Correct Name)CASE NO. _____
(To be supplied by the Clerk)

vs.

C/O Christian
C/O Hamilton, DefendantsCIVIL RIGHTS COMPLAINT
PURSUANT TO 28 U.S.C. 1331yes For Jury demand

A. JURISDICTION

1) Billy Earls, is a resident of _____
(Plaintiff) (State of residency prior to incarceration)who presently located at usp lee P.O. Box 305 Jonesville, VA. 24263
(Mailing address or place of confinement.)2) Defendant C/O Christian is a resident of _____
(Name of first defendant)Jonesville VA., and is employed as _____
(City, State)usp lee VA., and may be _____
(Position and title, if any)located at P.O. Box 900 Jonesville VA 24263. At the time the claim(s) alleged
(Address for service of process)in this complaint arose, was this defendant acting under the color of state law? Yes ☐ No ☒

If your answer is "Yes", briefly explain: _____

3) Defendant C/O CHRISTIAN is a resident of
(Name of first defendant)
Jonesville, VA, and is employed as
(City, state)
C/O USP Lee VA, and may be located at
(Position and title, if any)
P.O. Box 900 Jonesville, VA 24263. At the time the
(Address for service of process)

claim(s) alleged in this complaint arose was this defendant acting under the color of state law? Yes ☐ No ☒. If your answer is "Yes", briefly explain:

Federal Bop Employee

* (Use the back of this page to furnish the above information for additional defendants.)

4) Jurisdiction is invoked pursuant to 28 U.S.C. §1331(3). (If you wish to assert jurisdiction under different or additional statuses, you may list them below.)

And Federal Tort Claim Act. &
Personal Liability

B. NATURE OF THE CASE

1) Briefly state the background of your case:

USP Lee staff imposing upon me
Extreme Prison conditions and significant
hardships Excessive force, Assault and
other 8th Amendment violations

C. CAUSE OF ACTION

- 1) I allege that my claims arise under the following constitutional provisions or laws of the United States and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.)

A) (1) Count I: Excessive Force and Assault

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved.

State the facts clearly in your own words without citing legal authority or argument.):

ON 1-07-17 C/O Hamilton deny me my breakfast and later cuff me up and came in my cell and assaulted me hitting me and shoving my face in the floor.

B) (1) Count II: Assault and or Cruel unusual Punishment.

(2) Supporting Facts: ON 1-07-17 C/O Hamilton Escorting me to observation cell deliberately kept stepping on my feet shackles cutting my ankles and causing pain trying to trip me up, on 3-29-17 denied breakfast & lunch.

C) (1) Count III: Cruel unusual Punishment

~~on 1-08-17 I was give~~

(2) Supporting Facts: on 1-08-17 I was given Food Tray
with Feeces in it. on 1-26-17 c/o Christian
place me on the Rec yard in the snow without
shoes. on 3-06-18 c/o Christian put me in a Rec cage
& let 2 other inmates assault me.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?
- Yes ☐ No ☒ . If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

- a) Parties to previous lawsuit:

Plaintiffs: _____

Defendants: _____

- b) Name of court and docket number _____

- c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

- d) Issues raised _____

- e) Approximate date of filing lawsuit _____

- f) Approximate date of disposition _____

E. ADMINISTRATIVE RELIEF

- 1) Have you presented all grounds for relief raised in this complaint by way of BP-9, BP-10, and BP-11 grievances? Yes ☒ No ☐.
- 2) If your answer to (1) is "Yes", state the date of disposition, result and reasons given for the administrative decision 2017 Pending - denied Relief & impeded. denied Appeal Forms timely
- 3) If your answer to (1) is "No", list each ground not fully presented through the administrative grievance process and explain why it was not _____
- 4) Describe all other procedures you have used (such as tort claim or Parole Commission administrative appeals procedures) to exhaust administrative remedies as to each issue raised. tort claim to no avail.

F. REQUEST FOR RELIEF

- 5) I believe that I am entitled to the following relief:

\$1,000,000.00 cash.

Billy Earls Pro-se
Signature of Attorney (if any)

For Billy Earls
Signature of Petitioner

16198-032 usp lee

P.O. Box 305

Jonesville, VA. 24263
(Attorney's full address and telephone number)

(Chief) Michael S. Owl Feather - Garbey

33405-013

U.S. Pen. Itinerary hel

P.O. Box 305

Jonesville, VA.

24263

(legal mail)

(opens only in presence of)

Owl Feather - Garbey or the

U.S. Dist. Ct. Roanoke VA

clerk of court

United States District Court

210 Franklin Road S.W. Suite 540

Roanoke, VA. 24011

